

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE: Josie Clay and Robert Clay,) Case No. 16 B 28368
a/k/a Josie Hughes a/ka Josie Williams,)
Debtor(s),) Chapter 13
) Judge: Jacqueline P. Cox

NOTICE OF MOTION

Please take notice that on January 25, 2021 at 9:00 am., I will appear before the Honorable Judge JACQUELINE P. COX or any judge sitting in the judge's place, present the motion set forth below.

This motion will be presented and heard electronically using Zoom for Government. No personal appearance in court is necessary or permitted. To appear and be heard on this motion, you must do the following:

To appear by video, (1) use this link: <https://www.zoomgov.com/>. (2) Enter the meeting ID 1612732896. (3) Enter the passcode 778135.

To appear by telephone, (1) call Zoom for Government at 1-669-254-5252 or 1-646-828-7666. (2) Enter the meeting ID 1612732896. (3) Enter passcode 778135.

When prompted identify yourself by stating your full name.

To reach Judge cox's web page go to www.ilnb.uscourts.gov and click on the tab for Judges.

If you object to this motion and want it called on the presentment date above, you may file a Notice of Objection no late than two (2) business days before that date. If a Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may call the matter regardless.

TRUSTEE'S MOTION TO VACATE DISCHARGE

Now comes M.O. Marshall, Trustee in the above entitled case and moves this Honorable Court to vacate the Order of Discharge (See official docket number 32) and in support thereof states as follows:

1. Debtor filed for Chapter 13 relief on September 2, 2016.
2. The Debtors plan was confirmed on November 7, 2016.
3. The Trustee inadvertently filed a Notice of Completion of Plan payments in error at official docket number 28 that was subsequently withdrawn on January 27, 2020 at docket #34.
4. The Debtor actually has an estimated balance on the plan of \$2060.08.

5. The Trustee now seeks to vacate the Order of Discharge at official docket number 32.
6. The automatic stay should immediately be reinstated as to all creditors.
7. That notice of this motion has been provided to all creditors and parties in interest.

WHEREFORE, the Trustee respectfully requests that this Honorable Court enter an Order vacating the Discharge (See official docket number 32) and to reinstate the automatic stay and for such other relief as this court deems necessary and proper.

Respectfully submitted,

/s/ M.O. Marshall

M.O. Marshall
Chapter 13 Trustee
55 E. Monroe St., Suite 3580
Chicago, IL 60603
(312) 294-5900

CERTIFICATE OF SERVICE

I certify that this office caused a copy of this notice to be delivered to the parties listed below by depositing it in the U.S. Mail at 55 E. Monroe, Chicago, IL on January 15, 2021.

*See attached service list

Josie Clay & Robert Clay
27 E 120th St
Chicago, IL 60628

Steve Miljus, **Via ECF**
The Semrad Law Firm, LLC
20 S Clark, 28th
Chicago, IL 60603

Patrick S Layng, **Via ECF**
United States Department of Justice
Office of the United States Trustee
219 S Dearborn St., Room 873
Chicago, IL 60604

Respectfully submitted,

/s/ M.O. Marshall

M.O. Marshall
Chapter 13 Trustee
55 E. Monroe St., Suite 3580
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